

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION**


Nutramax Laboratories, Inc.,)	Civil Action No. 0:17-cv-01260-JMC
)	
Plaintiff,)	
)	
v.)	ORDER FOR DISBURSEMENT OF
)	BOND
Pure Supplements Ltd., iPartnr, LLC, Spirit)	
Lake Services, LLC, Elizabeth Leach,)	
Justin Christensen, Christian Barnes, and)	
Justin Barnes,)	
)	
Defendants.)	

Plaintiff Nutramax Laboratories, Inc. (“Nutramax” or “Plaintiff”) filed this action against Defendants alleging claims of infringement, dilution, and false designation of its registered trademark/intellectual property, in addition to state law claims for common law fraud and violation of the South Carolina Unfair Trade Practices Act, S.C. Code Ann. §§ 39-5-10 to -560 (2014). (ECF No. 46.)

This matter is before the court to address the status of the bond as a result of the parties’ filing of a Stipulation of Settlement and Dismissal (ECF No. 133) and Nutramax’s Notice of Dismissal (ECF No. 134). Nutramax posted the bond of one thousand dollars (\$1,000.00) on June 30, 2017 (*see* ECF No. 39) to effectuate the Preliminary Injunction that the court granted on June 27, 2017. (ECF No. 35.) Because the matter has been dismissed by the parties, Nutramax’s security is no longer necessary and the bond, which is currently being held in the registry of the Clerk of Court’s Office, should be returned to Plaintiff. *See Continuum Co. v. Inceptis, Inc.*, 873 F.2d 801, 803 (5th Cir. 1989) (explaining that the purpose of the Rule 65(c) security requirement is to assure the enjoined party that it may collect damages from the funds posted if it is

wrongfully enjoined, and provide the party seeking the injunction with notice of the maximum extent of its potential liability). Accordingly, the court **DIRECTS** the Clerk of Court to disburse/return to Plaintiff Nutramax Laboratories, Inc. the bond of one thousand dollars (\$1,000.00).

IT IS SO ORDERED.


J. Michelle Childs
United States District Judge

October 1, 2018
Columbia, South Carolina